

MAY 05 2004

**SIEMENS**

**OFFICIAL**

PATENT  
Attorney Docket No. 01P05135US01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Inventor:	M. Oechsner	)		
		)	Group Art Unit:	1775
Serial No.:	10/087,716	)		
		)	Examiner:	J. McNeil
Filed:	March 1, 2002	)		
Title:	THERMAL BARRIER COATING HAVING SUBSURFACE INCLUSIONS FOR IMPROVED THERMAL SHOCK RESISTANCE			

Assistant Commissioner For Patents  
Washington, D.C. 20231

Sir:

RESPONSE TO OFFICE ACTION

In response to the Office Action mailed January 21, 2004, Applicant respectfully submits the following amendments and remarks in connection with the above-identified application.

**SIEMENS****FACSIMILE COVER SHEET**In the UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Matthias Oechsner

Application No. 10/087,716

Filed: 03/01/2002

Title: Thermal Barrier Coating Having Subsurface Inclusions for Improved Thermal Shock Resistance

Examiner: Jennifer C. McNeil

Art Unit: 1775

➡ **FACSIMILE ATTN TO: JENNIFER McNEIL FAX NO.: 703-872-9306****RESPONSE TO OFFICE ACTION**Asst. Commissioner for Patents  
Washington, D.C. 20231**Certificate of Transmission under 37 CFR 1.8**I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on  
May 5, 2004.

Patricia A. Vanella

Typed or printed name of person signing Certificate

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PTO/SB/17 Fee Transmittal (1 pg)  
Response to Office Action bearing "Date Mailed" of 01/21/2004 (7 pgs)**Number of pages being transmitted (including this cover sheet): 10 pgs**

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**Siemens Corporation**Legal and Intellectual Property  
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PTO/SB/21 (05-03)


Approved for use through 04/30/2003. OMB 0651-0031

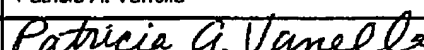
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/087,716	
	Filing Date	03/01/2002	
	First Named Inventor	Matthias Oechsner	
	Art Unit	1775	
	Examiner Name	Jennifer C. McNeil	
Total Number of Pages in This Submission	10	Attorney Docket Number	01P05135US01

ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Facsimile Cover Sheet including a certificate of transmission under 37 CFR 1.8</b>		
<table border="1" style="width: 100%;"> <tr> <td style="width: 20%;">Remarks</td> <td>Response to Office Action bearing "date mailed" of 01/21/2004</td> </tr> </table>			Remarks	Response to Office Action bearing "date mailed" of 01/21/2004
Remarks	Response to Office Action bearing "date mailed" of 01/21/2004			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	John P. Musone, Reg. No. 44,961
Signature	
Date	May 5, 2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Patricia A. Vanella		
Signature		Date	May 5, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 110

## Complete if Known

Application Number 10/087,718  
 Filing Date 03/01/2002  
 First Named Inventor Matthias Oeschner  
 Examiner Name Jennifer C. McNeil  
 Art Unit 1775  
 Attorney Docket No. 01P0513SUS01

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
 Order

☒ Deposit Account:

Deposit Account Number 19-2179  
 Deposit Account Name Siemens Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims -20 \*\* = 0 X Fee from below = 0  
 Independent Claims -3 \*\* = 0 X Fee from below = 0  
 Multiple Dependent X Fee from below = 0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$ 0)

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	110
1252	420	2252	210	Extension for reply within second month	
1253	850	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1808	180	1808	180	Submission of Information Disclosure Sheet	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(e))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	800	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 110)

## SUBMITTED BY

Name (Print/Type) John P. Musone Registration No. (Attorney/Agent) 44,891 Telephone 407-738-6449  
 Signature *J.P. Musone* Date May 5, 2004

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